



Agenda Item Number: 2008-8-7A

BERNALILLO COUNTY BOARD OF COUNTY COMMISSIONERS

Meeting Date: August 26, 2008

Department: Public Works Division **Staff Contact:** Tom Zdunek, Deputy County Manager for PW
Roger A. Paul, P.E. Technical Services Director
Susan Jones, Special Projects Coordinator

TITLE: Amendments to the Bernalillo County Code, Chapter 38, Article II – Flood Damage Prevention, Sections 32, 71, 101, and 102

ACTION: Convene a Public Hearing

Motion to:

1. Adopt **Ordinance 2008-___** amendments to the Floodplain Emergency (BC Code, Article II, Flood Damage Prevention) for compliance with Federal Emergency Management Agency (FEMA) regulation updates.
2. Approve Administrative Resolution **AR ___-2008** adopting the Flood Insurance Rate Maps (FIRMS) which will become effective September 26, 2008, prepared by the Federal Emergency Management Agency (FEMA) for use by Bernalillo County for floodplain administration.

SUMMARY:

The Bernalillo County Code, Chapter 38, Article II (commonly referred to as the Floodplain Ordinance) regulates the administration of floodplains within unincorporated Bernalillo County and must be periodically updated for compliance with federal regulations. The amendments introduced on June 24, 2008, and summarized below will maintain the County's compliance with FEMA National Flood Insurance Program (NFIP) regulations and include reference to new flood maps that will become effective September 26, 2008.

Definitions – modification and additional definitions to Section 38-32 for consistency with NFIP.

Administration and Enforcement – addition of wording in Section 38-71 requiring administrator to assure that development in the floodplain is “reasonably safe from flooding” and addressing cumulative effect of development in undesignated floodways.

General Standards – reference in section 38-101 to new maps effective September 26, 2008 and clarification of floor elevations in certain zones.

Specific Standards – add wording requiring a registered engineer to certify that new nonresidential construction meets “acceptable standards of practice” outlined in Section 38-102 and add wording regarding protection of manufactured homes and recreational vehicles in floodplains.

The amendments have been published as required and no adverse comments were received. The attached resolution adopts the new FIRMs. The maps are available for viewing at Bernalillo County Public Works.

ATTACHMENTS:

1. **Ordinance 2008-** .
2. Administrative Resolution **AR** **-2008** adopting FIRMs

FISCAL IMPACT

There will be no current fiscal impact on the County for code administration and minimal potential impact on county construction projects located in a floodplain.

STAFF ANALYSIS SUMMARY

COUNTY MANAGER

The proposed amendments were introduced on June 24, 2008. The amendments are needed to comply with FEMA regulations. If approved, the amendments will be effective September 12, 2008. I recommend Board approval. TL 7/30/2008

DEPUTY COUNTY MANAGER FOR PUBLIC WORKS

Adoption of the proposed amendments to the Floodplain Ordinance will maintain compliance with Federal regulations and reflect latest maps for use by the County's Floodplain Administration. I recommend approval. TZ 7/25/08

LEGAL

Approved as to form. Patrick Trujillo, Deputy County Attorney 7/24/08

FINANCE

Budget

Adoption of the amendments will ensure the County's compliance with FEMA National Flood Insurance Program (NFIP) regulations and include reference to new flood maps that will become effective September 26, 2008. There will be minimal potential implications fiscally on county constructions projects located in floodplains. Stephanie Manzanares, Financial Services Administrator II 7/22/08

Purchasing

No comment required. Phillip Lee, Purchasing Administrator 7/23/08

Contracts

A Contract Control Number (CCN) will be assign after Commission approval. Phillip Lee, Purchasing Administrator 7/23/08

Risk Management

No comment required. David A. Baca, Risk Management Dir. 7/23/08